

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of:)	
)	WC Docket No. 02-148
Application by Qwest Communications)	
International, Inc. for Authorization Under)	
Section 271 of the Communications Act)	
To Provide In-Region, InterLATA Service in)	
the States of Colorado, Idaho, Iowa,)	
Nebraska & North Dakota)	

**Comments of the
Nebraska Public Service Commission**

August 30, 2002

Anne C. Boyle, Chair
Gerald L. Vap, Vice-Chair
Frank E. Landis, Commissioner
Lowell C. Johnson, Commissioner
Rod Johnson, Commissioner

Nebraska Public Service Commission
300 The Atrium, 1200 N Street
P.O. Box 94927
Lincoln, NE 68509
(402) 471-3101

On August 27, 2002, the Nebraska Public Service Commission filed comments regarding Qwest's filing of ten previously unfiled Qwest/CLEC negotiated agreements. The Nebraska Commission, at this time, wishes to supplement its earlier comments.

The Regional Oversight Committee (ROC) collaborative has been characterized as the most open and robust test of any test among the Bells. The fact that Qwest did not initially file a number of agreements with CLECs should not detract from the quality of said collaborative or the resulting findings thereof.

The Nebraska Commission believes that Qwest's filing of the agreements eliminates claims of future discrimination by CLECs. On the other hand, should CLECs be concerned about prior discrimination, those claims can be appropriately addressed by filing a formal complaint before a state commission. Should such a complaint be brought before the Nebraska Commission, this commission is prepared to address the issue and take action if warranted.

The Nebraska Commission's review of Qwest's 271 application was thorough and exhaustive. The Nebraska Commission made its initial recommendation to the FCC on July 3, 2002, fully recognizing AT&T's concern regarding the impact on CLEC participation. The filing of such agreements does not alter the Nebraska Commission's position. Accordingly, the Nebraska Commission stands firm in its recommendation to the FCC that Qwest should be allowed to enter the in-region interLATA long distance market.